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July 15, 2019

Ms. Ulli S. Watkiss, City Clerk
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto ON M5H 2N2

**Re: 2019.SC7.2 on July 16, 2019 City Council
3850 and 3900 Sheppard Avenue East and 2350-2362 Kennedy Road - Official
Plan Amendment - Final Report**

We are counsel for 1660866 Ontario Inc., registered owners (the “**Owner**”) of the property municipally known as 2330 Kennedy Road (the “**Property**”). The Property is generally located east of the proposed Official Plan Amendment area (the “**OPA Lands**”), on the west side of Kennedy Road, south of the proposed Link A and north of Sheppard Avenue East. The Property is occupied with a six-storey medical office building with commercial uses at grade, known as the Agincourt Professional Centre (the “**Medical Office Building**”).

The Owner is writing to make submissions with respect to the proposed Official Plan Amendment (OPA) for Council’s consideration.

The daily operations of the Medical Office Building depend on access to and from the OPA Lands. A number of easements exist over the OPA Lands in favour of the Property to support the daily operations of the Medical Office Building, including:

- An easement for 191 vehicle parking spaces;
- An easement for large vehicle movements to service the operations of the Medical Office Building;
- An easement for certain pedestrian ingress and egress; and
- Easements for sewers that service the Medical Office Building.

Therefore, the Owner would like to ensure that:

- The proposed OPA does not contravene, derogate from or interfere with those lawful and in-force easements;
- The proposed OPA has no material negative impact on the Agincourt Professional Centre; and,

- The proposed OPA does not permit a development that materially interferes or materially impedes the normal commercial operation or use of the Medical Office Building.

The Owner would like certainty that the contemplated development permitted by the OPA will protect for, and maintain the existing easements that exist on the OPA Lands in order to ensure the continued operations and future success of the Medical Office Building, and that the OPA has no material negative impact on, or interference with, the Agincourt Professional Centre or Property. If the proposed OPA were to not take those matters properly into account then it may, *inter alia*, conflict with the Provincial Policy Statement and/or contravene fail to conform with or conflict with a provincial plan.

Sincerely,



Michael Foderick